

*Jim Conley's  
Lawyer*

*Prepares to  
Demand*

*Trial for His  
Client*

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Attorney W. M. Smith  
Declares

He Will Take Action in  
Be-

# Half of Negro Some Time

## Next Week

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Although no demand for a trial for James Conley, the negro who says he assisted in disposing of Mary Phagan's body after she was murdered in the National Pencil factory, has been filed, there is every indication that such action will be taken by William M. Smith, his attorney, next week.

Attorney Smith had a demand for trial written and in his pocket Friday afternoon, when the criminal division of the supporter court adjourned for the week, but did not file it, he says, because Solicitor General Hugh M. Dorsey desired to look over the document before it went on the minutes.

Smith asserts positively that he will file the demand, which means that Conley must be tried at this or the next term of court in January, if the case is not tried next week.

Solicitor Dorsey has announced the case will be called next week, but its trial depends on the attitude of Judge Ben H. Hill, who, it is understood, does not consider it proper to allow the negro to be tried until the supreme court has passed on the case of Leo M. Frank, who was convicted of the Phagan murder.

As a result, it is expected Judge Hill will block every effort to try the case next week. It is even expected the jurist will question Attorney Smith's right to demand a trial on account of the nature of the case. If the judge refuses to allow the demand to go on the minutes, a writ of mandamus, it is said, will be the only course left open to Conley's counsel.

**MAY NOT ALLOW TRIAL.**

If the demand for a trial is allowed to go on the minutes by Judge Hill, it is considered probable that regardless of the solicitor's attitude that he will not allow the case to come up at this term. If it is delayed until the January term it is possible the supreme court will have acted on the Frank case, before the maximum time allowed by the law, where a demand has been made, has expired for the Conley case.

To be consistent with his announced policy of protection for the negro, Solicitor Dorsey is not expected to do anything to delay the trial of Conley, so when the matter comes up next week its outcome will depend largely on the attitude of Judge Hill, and there is little doubt that he will delay the trial as long as he can under the law. This means that, regardless of demand, there is little probability of Conley's actually going on trial until the January term which lasts through February.

It is expected that at the end of next week, when the jail will have been practically cleared of felony prisoners that the criminal division of the superior court will adjourn for the term in order that the solicitor general can prepare his brief for the Frank case before the supreme court.

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**PDF PAGE 11, COLUMN 6**

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**WILL CARRY FIGHT  
FOR**

**CHILD TO SUPREME  
COURT**

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The fight of J. E. Barlow, the Cuban promoter, to regain his eleven-year-old daughter, Madeline, was not ended with the decision of Judge Littlejohn, at Americus, sustaining the Stewart County ordinary, who awarded the child to her mother, Mrs. Edith Barlow.

After a conference Attorneys Burton Smith and Frank A. Hooper, who represent Barlow, stated they would immediately carry the case to the supreme court on a fast bill of exceptions. The attorneys will contend the ordinary had no jurisdiction in the case, the child having been awarded to its father by the superior court that granted him a divorce.

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## **PDF PAGE 23, COLUMN 5**

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# **BARBER MUST LEAVE**

# **MOLER STUDENTS ALONE**

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A temporary order has been issued by Judge John T. Pendleton, of superior court, restraining G. O. Branning, a barber, from interfering with prospective students who come to Atlanta to learn the barber trade at the Moler college, operated by Peter C. Anderson.

Anderson charges Branning has been meeting students, attracted here by the former's advertisements, and carrying them to his own school.

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He asks the court to award him \$5,000 for damage he claims has been done to his business by the competitor.

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